



# MONTANA LEGISLATIVE BRANCH

## Legislative Fiscal Division

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June 4, 2002

TO: Legislative Finance Committee

FROM: Lynn Zanto

RE: District Court Assumption – Update

Beginning July 1, 2002, the state Judiciary will be responsible for oversight and administration of Montana's 22 district courts based on the 2001 legislature's passage of SB 176. At the March 14 Legislative Finance Committee meeting the Supreme Court appeared to provide a report on progress and discuss fiscal aspects of the district court assumption effort. Items addressed included:

- Allocation of the 2003 biennium appropriation
- Compilation and standardization of personal services information
- Aspects of court assumption not addressed or ambivalent in SB 176
- Preparation of the 2005 budget request

The Supreme Court reported that:

- FY 2003 allocation would be handled as directed in SB 176 using FY 1999 actual expenditures as a base,
- SABHRS will be used to manage personnel records, establish budgets and record expenses in order to provide the necessary position control mechanisms and achieve statewide consistency in accounting and budgeting procedures,
- The court has contracted with the National Center for State Courts (NCSC) to assist in development of a Judicial Personnel Plan that will include a uniform job classification and compensation system,
- General operating costs involving information technology, personnel and rent are the primary areas identified by the court as not adequately accounted for in the original legislation, and
- Variable costs for indigent defense, jury costs, expert witness fees, and mental health evaluations are a major budgetary concern as they are difficult to anticipate and control.

The court has been invited to provide a progress report to the Committee on state court assumption implementation and fiscal issues. The following questions were provided to the court administrator to address during the update.

- 1) What is the status and timeframe of the National Center for State Courts (NCSC) contract to assist with development of the Judicial Personnel Plan? What fiscal impacts for the 2005 biennium have been identified through this effort? Are there

major disparities between current district court employee salaries and the consultant's recommended salaries?

- 2) What is the status of the issue involving variable costs? Has the court devised a plan on how to control and/or monitor these costs in order to adequately address 2005 biennium budget needs?
- 3) Since the March meeting, what progress has been made on:
  - a) compilation and standardization of personal services information,
  - b) district court automation, and
  - c) quantifying costs not accounted for in the original legislation?

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